

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

**IN RE:
STEPHEN M MELLGREN**

CASE NO: 24-60297 - MMP

Debtor

CHAPTER 13

**TRUSTEE'S OBJECTION TO CONFIRMATION OF DEBTOR'S
PROPOSED CHAPTER 13 PLAN**

COMES NOW RAY HENDREN, the Chapter 13 Trustee in the above captioned case, and moves this Honorable Court to deny confirmation of Debtor's proposed Chapter 13 plan . In support, the Trustee would represent to the Court the following:

1. Debtor filed a voluntary petition on May 31, 2024. The meeting of creditors was held and concluded on June 24, 2024. The confirmation hearing is scheduled for July 17, 2024. The plan proposes to pay all allowed priority claims in full, all secured claims to the extent of the value of the collateral, and approximately 100% of each unsecured allowed claim.
2. Per section 8 of the Plan Nonstandard Plan Provisions, the Debtor intends to sell the property at 1237 Overlook Ct, Whitney, TX (the "Property"), and pay all debts secured by the Property as part of that sale. Upon information and belief, Debtor has not listed the Property for sale as of the date of this pleading due to the Property needing repairs through insurance proceeds. The Trustee requests the Debtor provide an itemized documentation of the funds received from insurance and the work done with the funds, a timeline of future insurance disbursements and the remaining work to be done and provide a copy of a listing agreement when executed.
3. Upon information and belief, the Debtor is attempting to start a fuel business. Debtor has failed to provide the Trustee with a projection of income from the business. Further, it is unclear to the Trustee what impact on the estate the business will have. The Trustee requests the Debtor provide more information on the business and its model including what the anticipated income and expenses will be. The Trustee would show, Debtor is currently exempt from filing returns, but will be required to file future returns if operating a business. Debtor will be required to turn over tax refunds to the Trustee pursuant to the Standing Order Regarding Chapter 13 Tax Refunds. Further, the Trustee requests the Debtor provide post-petition bank statements to review for disposable income and discretionary spending.

WHEREFORE, PREMISES CONSIDERED, the Chapter 13 Trustee Ray Hendren requests that the Court deny confirmation of the proposed Chapter 13 Plan, allowing Debtor 14 days from the date of hearing to amend the plan in accordance with the terms of the Trustee's objections as stated above or dismiss or convert the case or face dismissal of the case without the need for a further hearing upon the Trustee's submission of an Order Summarily Dismissing Case. The Trustee further requests such other and further relief to which he may show himself justly entitled.

Dated: July 02, 2024

Respectfully Submitted

/s/Ray Hendren

Ray Hendren, Chapter 13 Trustee

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**United States Bankruptcy Court
Western District of Texas
Waco**

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CERTIFICATE OF SERVICE

I, Ray Hendren, hereby certify that a true and correct copy of the attached document was served upon the following parties via electronic means as listed on the Court's ECF noticing system or by regular mail on **July 02, 2024**.

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/s/ Ray Hendren

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